

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-CR-00104-F-1

UNITED STATES OF AMERICA

v.

STEPHON BULLOCK,
Defendant.

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ORDER

This matter is before the court on Stephon Bullock's Motion for Reduction of Sentence Pursuant to *United States v. Simmons* [DE-119] and Motion for Reduction of Sentence [DE-121]. In both motions, Bullock is seeking a reduction in his sentence pursuant to *United States v. Simmons*, 649 F.3d 237 (4th Cir. 2011).

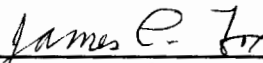
Bullock is attacking the validity of his sentence, and the appropriate avenue to bring this challenge is by way of a § 2255 motion¹. To the extent that Bullock seeks to file a § 2255 motion, he must file it on the appropriate form. The Clerk of Court hereby is DIRECTED to send a copy of the appropriate § 2255 form to Bullock. If Bullock elects to pursue a § 2255 motion, he shall have twenty-eight days within which to file his motion on the appropriate § 2255 form provided by the Clerk. Bullock should send the original of the § 2255 form to:

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, North Carolina 27611

¹Title 28 Section 2255 states four grounds upon which such relief may be claimed: (1) that the sentence was imposed in violation of the Constitution or laws of the United States; (2) that the court was without jurisdiction to impose such sentence; (3) that the sentence was in excess of the maximum authorized by law; and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. § 2255(a).

SO ORDERED.

This 4th day of June 2013.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE